

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AQUA PHARMACEUTICALS, LLC,

Plaintiff,

v.

PARK IRMAT DRUG CORP, *et al.*,

Defendants.

CIVIL ACTION
NO. 17-2273

ORDER

AND NOW, this 17th day of May, 2018, upon consideration of Defendants' Motion to Dismiss the Amended Complaint (ECF No. 36) and Plaintiff's Response (ECF No. 38), it is **ORDERED** that the Motion to Dismiss is **GRANTED in part** and **DENIED in part** consistent with the Court's Memorandum. Aqua may again amend its complaint with respect to the fraud claim against Defendants Falah and Chong on or before June 6, 2018.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.